

Waste Tire Special Bulletin: Baled Waste Tire Permitting, Storage and Hauling Requirements

October 18, 2011

Department Monthly Meeting

Why we are here?



- To remind waste tire generators, haulers and end use facilities of the permitting, storage and hauling requirements for waste tires.
- To advise of ongoing enforcement action against those not complying with the statute and regulation.

Why is waste tire baling CalRecycle 2 becoming so prevalent?



- Lower costs for equipment needed to go into business relative to other waste tire processors.
- Lucrative markets overseas that allow haulers/balers to offer significantly reduced prices to generators for waste tire supply.

What is waste tire baling? CalRecycle

"an action which produces baled tires..."



What is a baled tire?



 "...either whole or altered waste tires that have been compressed and then secured with a binding material for the purpose of reducing



Baled tires are waste tires CalRecycle

PRC Section 42801.6

""Baled Tire" means either a whole or an altered tire that has been compressed and then secured with a binding material for the purpose of reducing it volume".

Title 14 CCR Section 17225.715

"...Baled tires are waste tires..."

Finished bale of tires





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What are enforcement related issues?



Operator:

- Some operators inappropriately consider their businesses to be "collection sites".
- Baling facilities are operating without proper waste tire facility permits.

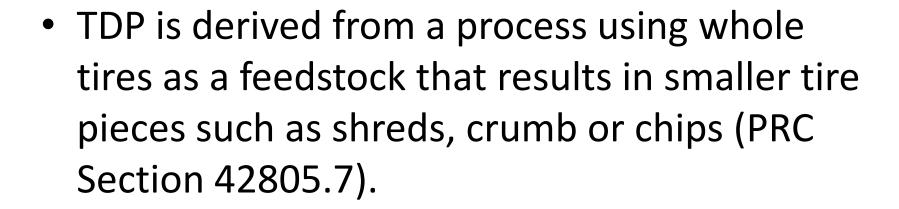
Haulers:

- Some haulers are considering baled tires to be TDP.
- Unregistered haulers are transporting baled tires to and from sites.
- Many baled tires are not proper manifested as waste tire loads.

Waste tire baling facilities CalRecycle are not "Collection" sites

- Collection sites are temporary storage sites established to address the activity of moving waste tires (CCR Section 17225.717).
- Definition does not include:
 - Changing the tires in size, shape, volume or any other manner.

Baled tires are not CalRecycle Tire Derived Product (TDP)



 Baled tires are whole tires and are not TDP and there is no exemption from hauler registration or manifesting for baled tires.

Baling of waste tires may CalRecycle create an unpermitted waste tire facility

- All waste tires on site count towards the waste tire facility's total tire count. Tires on site includes:
 - Individual waste tires & baled tires;
 - Tires on the ground and in a road transportable container.
- An unpermitted waste tire site is one in which more than 499 waste tires are present (1500 is threshold for a used tire dealer).

Baling of waste tires may CalRecycle create an unpermitted waste tire facility

 Bales of tires are typically transported in sea containers which may contain upwards of 2000 tires each.

 Each sea container can contain enough tires to exceed the threshold requirement for a waste tire facility permit.

Possible Misuse of Common CalRecycle Carrier Exemption in Baled Tire Transport

- Common carriers must transport baled tires as a "backhaul".
- Even on "backhaul" common carriers must apply for and receive a hauler registration exemption letter.
- All common carriers are required to manifest loads of 10 or more tires.

Transportation of baled **CalRecycle** tires may create overweight containers

- Baled tires are heavy
 - Reports received of containers of baled tires weighing upwards of 56,000 pounds.
 - Investigating allegations of shipment of overweight containers of tires on CA highways.
- Referral to the CHP as necessary.

Tires must be manifested CalRecycle



 Registered haulers or exempt common carriers are required to manifest baled tire loads

 Waste tire generators must obtain and maintain manifest paperwork for 3 years.

Response to frequently asked questions



- Why doesn't CalRecycle immediately shut down illegal baling operations which come to our attention?
 - Response: There are due process
 considerations to which all waste tire
 generators, haulers and end use facilities
 are entitled.

Response to frequently asked questions



- Why doesn't CalRecycle stop overseas shipments of tires?
 - Response: CalRecycle cannot regulate international, or even interstate commerce.
 We can work to ensure that all waste tire storage and transportation in CA is conducted in accordance with State law and regulation.

Additional Actions CalRecycle is Taking



Status of Regulation Revisions

 Developing proposed regulatory changes to clarify and reinforce current enforcement efforts

 Working to begin the rulemaking process towards the end of 2011

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Questions and Contact Information

Call Waste Tire Hotline: 800-896-0600